

REMARKS

The Examiner is thanked for the performance of a thorough search.

Claim 1 has been amended. No claims have been canceled or added. Hence, Claims 1, 4-12, 17, 20-28, and 33-40 are pending in the present application.

Each issue raised in the final Office Action mailed October 16, 2008 is addressed hereinafter.

I. SUMMARY OF TELEPHONE INTERVIEW

The Examiner is thanked for granting the courtesy of a telephone interview on December 3, 2008. Examiner Patel and Applicant's representatives Brian D. Hickman and Stoycho D. Draganoff attended the interview. Claim 1 and proposed amendments thereof were discussed. The reference discussed was Warshavsky et al., U.S. Patent No. 6,732,095 ("WARSHAVSKY"). An agreement regarding patentability was not reached.

The Applicant's representatives explained why Vedula et al., U.S. Patent No. 6,823,495 ("VEDULA") and WARSHAVSKY do not describe or suggest all features of Claim 1 as indicated in the proposed amendment. Specifically, the Applicant's representatives explained why WARSHAVSKY does not describe or suggest the feature of Claim 1 of using said mapping scheme to perform a single transformation that moves said XML document directly into said relational database without creating and storing any representation of said XML document separate from said XML document and said relational database during said transformation. The Examiner indicated that the proposed amendment to Claim 1 overcomes WARSHAVSKY.

The Applicant's representatives also pointed out that a reply to Office Action was filed on **December 11, 2006**, which reply amended the Specification of the present application by adding paragraphs [0067]-[0077]. These paragraphs are virtual word for word extractions from the priority Provisional Application (U.S. Provisional Application No. 60/416,306, filed on

October 4, 2002), which was incorporated by reference into the present application at the time of filing. Specifically, paragraphs [0067]-[0069] are described in pp.1-2 of the Provisional Application. Paragraphs [0070]-[0071] are described in p.1 of the Provisional Application. Paragraph [0072] is described in p. 67 of the Provisional Application. Paragraph [0073] is described in p. 71 of the Provisional Application. Paragraphs [0074]-[0075] are described in p. 1 of the Provisional Application. Paragraph [0076] is described in p. 66 of the Provisional Application. Paragraph [0077] is described in p. 67 of the Provisional Application.

During the telephone interview, the Applicant's representatives respectfully pointed out to the Examiner that the addition of paragraphs [0067]-[0077] to the Specification did not introduce new matter in the present application.

II. ISSUES RELATING TO THE PRIOR ART

A. INDEPENDENT CLAIM 1

Claim 1 was rejected as allegedly unpatentable under 35 U.S.C. § 103(a) over Vedula et al., U.S. Patent No. 6,823,495 ("VEDULA") in view of Warshavsky et al., U.S. Patent No. 6,732,095 ("WARSHAVSKY").

Claim 1 has been amended herein to include the proposed amendment that was discussed during the telephone interview on December 3, 2008. Thus, Claim 1 comprises the feature of:

...;
using said mapping scheme to perform a single transformation that moves said XML document directly into said relational database without creating and storing any representation of said XML document separate from said XML document and said relational database during said transformation;
... .

It is respectfully submitted that, as discussed during the telephone interview on December 3, 2008, the above feature of Claim 1 is not shown or suggested by VEDULA and WARSHAVSKY.

In general, WARSHAVSKY describes a method for converting an XML document to relational data. WARSHAVSKY's method requires an object instance of the XML document to be created and stored in an in-memory buffer before the object instance is stored in a relational database. Thus, in essence WARSHAVSKY describes that storing an XML document in a relational database involves at least a two-step transformation of the XML document: one transformation converts the XML document into an object instance that is stored in an in-memory buffer, and a second transformation stores the data from the object instance into the relational database.

Specifically, in col. 8, lines 9-30 and with respect to its Fig. 1, WARSHAVSKY describes how an object instance (ref. 105 in Fig. 1) of an incoming XML document is created in an in-memory buffer. The incoming XML document is traversed starting from the root node, and each element is matched against an XML mapping definition (ref. 114 in Fig. 1). After the object instance for the XML document is created in the in-memory buffer, a database adapter (ref. 107 in Fig. 1) loads the object instance into a relational database (ref. 110 in Fig. 1). Thus, WARSHAVSKY describes that storing an XML document in a relational database involves at least a two-step transformation of the XML document.

In contrast, Claim 1 comprises the feature of using said mapping scheme to perform a single transformation that moves an XML document directly into a relational database without creating and storing any representation of said XML document separate from said XML document and said relational database during said transformation.

For these reasons, as well as for the reasons discussed during the telephone interview on December 3, 2008, VEDULA and WARSHAVSKY whether taken alone or in combination do not describe or suggest all features of Claim 1. Thus, Claim 1 is patentable under 35 U.S.C. §

103(a) over VEDULA in view of WARSHAVSKY. Reconsideration and withdrawal of the rejection of Claim 1 is respectfully requested.

B. DEPENDENT CLAIMS 4-12, 17, 20-28, AND 33-40

Claims 4-12, 17, 20-28, and 33-40 were rejected as allegedly unpatentable under 35 U.S.C. § 103(a) over VEDULA in view of WARSHAVSKY.

Each of Claims 4-12, 17, 20-28, and 33-40 depends directly or indirectly from independent Claim 1, and therefore includes each and every feature of the independent base claim. Thus, each of Claims 4-12, 17, 20-28, and 33-40 is allowable for the reasons given above for Claim 1. In addition, each of Claims 4-12, 17, 20-28, and 33-40 introduces one or more additional features that independently render it patentable.

For example, Claim 39 comprises the feature of: wherein using said mapping scheme to perform said single transformation comprises:

processing a first XML element of said XML document to move said first XML element from said XML document to said relational database; and
after processing of said first XML element is completed, processing a second XML element of said XML document to move said second XML element from said XML document to said relational database, wherein said second XML element is different from said first XML element.

These features of Claim 39 indicate that the single transformation featured in Claim 1 is performed by: processing a first XML element of the XML document to move said first XML element from said XML document into said relational database; and after processing of said first XML element is completed, processing a second XML element of said XML document to move said second XML element from said XML document to said relational database, wherein said second XML element is different from said first XML element. In contrast, as discussed above, WARSHAVSKY describes that storing an XML document in a relational database involves at least a two-step transformation of the XML document.

For the foregoing reasons, it is respectfully submitted that Claims 4-12, 17, 20-28, and 33-40 are allowable for at least the reasons given above with respect to Claim 1.

Reconsideration and withdrawal of the rejections of 4-12, 17, 20-28, and 33-40 is respectfully requested.

III. CONCLUSION

The Applicant believes that all issues raised in the Office Action have been addressed. Further, for the reasons set forth above, the Applicant respectfully submits that allowance of the pending claims is appropriate. Entry of the RCE field concurrently herewith, and reconsideration of the present application is respectfully requested in light of the amendments and remarks herein.

The Examiner is respectfully requested to contact the undersigned by telephone if it is believed that such contact would further the examination of the present application.

A petition for extension of time, to the extent necessary to make this reply timely filed, is hereby made. If applicable, a law firms check for the petition for extension of time fee is enclosed herewith. If any applicable fee is missing or insufficient, throughout the pendency of this application, the Commissioner is hereby authorized to charge any applicable fees and to credit any overpayments to our Deposit Account No. 50-1302.

Respectfully submitted,
HICKMAN PALERMO TRUONG & BECKER LLP

Dated: December 8, 2008

/StoychoDDraganoff#56181/
Stoycho D. Draganoff
Reg. No. 56,181

2055 Gateway Place, Suite 550
San Jose, California 95110-1089
Telephone No.: (408) 414-1080 ext. 208
Facsimile No.: (408) 414-1076